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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/450,514	11/30/1999	KOICHI SATO	P18408	7714
7055	7590	01/26/2006	EXAMINER	
GREENBLUM & BERNSTEIN, P.L.C. 1950 ROLAND CLARKE PLACE RESTON, VA 20191			HANNETT, JAMES M	
			ART UNIT	PAPER NUMBER
			2612	
DATE MAILED: 01/26/2006				

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/450,514	SATO, KOICHI	
	<b>Examiner</b>	<b>Art Unit</b>	
	James M. Hannett	2612	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 14 November 2005.  
 2a) This action is FINAL.                    2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-12 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 1-12 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on 30 November 1999 is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) Notice of References Cited (PTO-892)  
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  
 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
 Paper No(s)/Mail Date \_\_\_\_\_.  
 4) Interview Summary (PTO-413)  
 Paper No(s)/Mail Date. \_\_\_\_\_.  
 5) Notice of Informal Patent Application (PTO-152)  
 6) Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 11/14/2005 has been entered.

### ***Response to Arguments***

Applicant's arguments with respect to claims 1-12 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

- 1: Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over USPN 6,593,965 Miyamoto in view of USPN 5,912,708 Kondo et al.
- 2: In regards to Claim 10, Miyamoto teaches an image reading device in which pixel data of a first image, formed on an imaging device having an on-chip color filter of a plurality of colors, are point-sequentially read from the imaging device (Column 2, Lines 11-17). And subjected to an interpolation process (Column 4, Lines 12-20) to generate components of the plurality of colors for each of the pixel data to obtain a second image, the image reading device comprising:

A thinning processor (Figure 3 and Column 3, Lines 57-60) that thins out some of the pixel data before the pixel data are subjected to the interpolation process, so that the second image is composed of a smaller number of pixels than the first image. Furthermore, the thinned pixel data displayed on the LCD display is uniformly distributed and spaced from each other because the thinned pixel data consists of the pixels continuing in the uniform pattern as depicted in Figure 3 of Miyamoto. It is viewed by the examiner that the thinned pixel data displayed on the LCD display are spaced from each other because the thinned pixel data consists of the pixels and are in a two-dimensional matrix. The pixels are in different geometric locations. Therefore, the pixels are spaced from each other by at least one thinned out pixel data. Miyamoto teaches a thinning technique which preserves the original color filter arrangement in the subsequent thinned image. However, Miyamoto selecting the pixels according to a sub-sampling corresponding to the depiction of Figure (3) and does not teach that the thinned pixel data can be selected so that each pixel in the thinned pixel data is separated from each other by at least one pixel data.

Kondo et al teaches on Column 5, Lines 40-55 and depicts in Figure 9a that it is advantageous when thinning an image to thin the image by selecting every third column and third line of image data (Column 12, Lines 47-61. Therefore, each thinned pixel selected in the thinning process of Kondo et al is separated from each other by at least one pixel data. Kondo et al teaches in the abstract that this thinning process is advantageous because it performs the thinning process without deteriorating the coding efficiency.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to perform the thinning technique of selecting every third column and third

line of image data as taught by Kondo et al in the digital camera of Miyamoto in order to perform the line thinning process without deteriorating the coding efficiency.

*Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3: Claims 1-9, 11 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over USPN 6,593,965 Miyamoto in view of in view of USPN 5,912,708 Kondo et al in further view of USPN 5,900,623 Tsang et al.

4: As for Claim 1, Miyamoto teaches an image reading device comprising:  
An imaging device that has pixels and color filters provided on said imaging device, said color filter having color filter elements of a plurality of colors (Figure 3), said pixels generating an original image data containing pixel data, each of which corresponds to one of said colors which are arranged in a predetermined distribution; A reading processor that reads said pixel data from said imaging device; Column 2, Lines 11-17. A thinning processor that thins out some of said pixel data to generate a thinned image data, colors of which are arranged in said predetermined distribution; Figure 3 and Column 3, Lines 57-60 and An interpolation processor that performs an interpolation process on said thinned image data to generate an interpolated image data for each of said colors; Column 4, Lines 12-20. Furthermore, the thinned pixel data displayed on the LCD display is uniformly distributed and spaced from each other because the thinned pixel data consists of the pixels continuing in the uniform pattern as depicted in Figure 3 of Miyamoto. It is

viewed by the examiner that the thinned pixel data displayed on the LCD display are spaced from each other because the thinned pixel data consists of the pixels and are in a two-dimensional matrix. The pixels are in different geometric locations. Therefore, the pixels are spaced from each other by at least one thinned out pixel data. Miyamoto teaches a thinning technique which preserves the original color filter arrangement in the subsequent thinned image. However, Miyamoto selecting the pixels according to a sub-sampling corresponding to the depiction of Figure (3) and does not teach that the thinned pixel data can be selected so that each pixel in the thinned pixel data is separated from each other by at least one pixel data.

Kondo et al teaches on Column 5, Lines 40-55 and depicts in Figure 9a that it is advantageous when thinning an image to thin the image by selecting every third column and third line of image data (Column 12, Lines 47-61. Therefore, each thinned pixel selected in the thinning process of Kondo et al is separated from each other by at least one pixel data. Kondo et al teaches in the abstract that this thinning process is advantageous because it performs the thinning process without deteriorating the coding efficiency.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to perform the thinning technique of selecting every third column and third line of image data as taught by Kondo et al in the digital camera of Miyamoto in order to perform the line thinning process without deteriorating the coding efficiency.

Miyamoto does not teach an imaging device that has photo-diodes rather states that the imaging device is a CCD image sensor.

Tsang et al depicts in Figure 4 and teaches on Columns 4 and 5, Lines 60-67 and Lines 1-4 the use of an image sensor that uses photo-diodes for generating image data. Tsang et al

teaches that it is advantageous to use photo-diodes because they provide superior quantum efficiency.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use the photo-diode image sensor array configuration of Tsang et al for the image sensor of Miyamoto in order to provide superior quantum efficiency.

5: In regards to Claim 2, Miyamoto teaches on Column 3, lines 57-63 and depicts in Figure 3 wherein said colors of said original image data are arranged in such a manner that a  $(m \times m)$  matrix, formed by said plurality of colors, is repeated, and said thinning processor thins out  $(m \times (n-1))$  number of pixel data for every  $(m \times n)$  number of pixel data in a horizontal direction and a vertical direction of an image corresponding to said original image data, wherein each of "m" and "n" is a positive integer greater than 1. The examiner has viewed  $m = 2$  and  $n = 2$ , therefore there is a  $(2 \times 2)$  matrix which contains two green pixels one red pixel and one blue pixel. And the system thins out 2 pixel data for every 4-pixel data. Miyamoto teaches on Column 5, Lines 59-63 that the ratio for image reduction is not limited to 1:2, and that by changing the number of pixels between neighboring pixel blocks, other corresponding ratios can be used.

However, Miyamoto does not specifically state that the thinning processor thins out 2 pixel data for every 3 pixel data. However, Official Notice is taken that it was well known in the art at the time the invention was made for display screens to be different sizes which would require a thinning process to thin out 2 pixel data for every 3 pixel data, in order to enable a system to display image data on display screens that have less resolution than the image sensor.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to enable the system of Miyamoto to use a reduction ratio in which the

thinning processor thins out 2 pixel data for every 3 pixel in order to enable the system to display the image data on a display screen that had one third the resolution of the image sensor.

6: As for Claim 3, Miyamoto teaches on Column 3, lines 57-63 and depicts in Figure 3 wherein the colors of the original image data are arranged in such a manner that a (2x2) matrix, formed by said plurality of colors, is repeated, and said thinning processor thins out  $(2 \times (n-1)) = 2$  number of pixel data for every  $(2 \times n) = 4$  number of pixel data in a horizontal direction and a vertical direction of an image corresponding to the original image data. The examiner has viewed  $n = 2$ , therefore there is a (2x2) matrix which contains two green pixels one red pixel and one blue pixel. And the system thins out 2 pixel data for every 4 pixel data.

7: In regards to Claim 4, Miyamoto teaches on Column 5, Lines 59-63 that the ratio for image reduction is not limited to 1:2, and that by changing the number of pixels between neighboring pixel blocks, other corresponding ratios can be used.

However, Miyamoto does not specifically state that the thinning processor thins out 2 pixel data for every 3 pixel data. However, Official Notice is taken that it was well known in the art at the time the invention was made for display screens to be different sizes which would require a thinning process to thin out 2 pixel data for every 3 pixel data, in order to enable a system to display image data on display screens that have less resolution than the image sensor.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to enable the system of Miyamoto to use a reduction ratio in which the thinning processor thins out 2 pixel data for every 3 pixel in order to enable the system to display the image data on a display screen that had one third the resolution of the image sensor.

8: As for Claim 5, Miyamoto teaches on Column 5, Lines 59-63 that the ratio for image reduction is not limited to 1:2, and that by changing the number of pixels between neighboring pixel blocks, other corresponding ratios can be used.

However, Miyamoto does not specifically state that the thinning processor thins out 2 pixel data for every 3 pixel data. However, Official Notice is taken that it was well known in the art at the time the invention was made for display screens to be different sizes which would require a thinning process to thin out 4 pixel data for every 5 pixel data, in order to enable a system to display image data on display screens that have less resolution than the image sensor.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to enable the system of Miyamoto to use a reduction ratio in which the thinning processor thins out 4 pixel data for every 5 pixel data in order to enable the system to display the image data on a display screen that had one fifth the resolution of the image sensor.

9: In regards to Claim 6, Miyamoto depicts in Figure 3 that the colors of the color filter elements are arranged in the Bayer arrangement.

10: As for Claim 7, Miyamoto depicts in Figure 3 that the color filter has red filter elements, green filter elements and blue filter elements, and in the (2 x 2) matrix, the green filter elements are positioned on a diagonal line, and the red filter element and the blue filter element are positioned on another diagonal line.

11: In regards to Claim 8, Miyamoto teaches on Column 5, Lines 59-63 that the ratio for image reduction is not limited to 1:2, and that by changing the number of pixels between neighboring pixel blocks, other corresponding ratios can be used. Therefore, the reduction ratio is set in accordance with which the number of pixel data thinned out by the thinned processor.

12: As for Claim 9, Miyamoto teaches on Column 5, Lines 64-67 a reduced image indicating processor that forms a color image based on the interpolated image data and indicates the color image. Miyamoto teaches that the reduced or thinned image is interpolated and sent to the video memory and is then displayed on an LCD. This is viewed by the examiner as forming a color image based on the interpolated image data and indicates the color image.

13: In regards to Claim 11, Miyamoto depicts in Figure 3 that the colors of the color filter elements are arranged in the Bayer arrangement.

14: As for Claim 12, Miyamoto depicts in Figure 3 that the color filter has red filter elements, green filter elements and blue filter elements, and in the (2 x 2) matrix, the green filter elements are positioned on a diagonal line, and the red filter element and the blue filter element are positioned on another diagonal line.

*Conclusion*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James M. Hannett whose telephone number is 571-272-7309. The examiner can normally be reached on 8:00 am to 5:00 pm M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ngoc Yen Vu can be reached on 571-272-7320. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

James M. Hannett  
Examiner  
Art Unit 2612

JMH  
January 13, 2006



NGOC-YEN VU  
PRIMARY EXAMINER